

REMARKS

In response to the Office Action dated June 1, 2004, Applicants respectfully request reconsideration based on the following remarks. Applicants respectfully submit that the claims as presented are in condition for allowance.

Claims 1, 3, 5-18, 22-26 and 28-30 are pending in the present application. No claims have been amended and no new claims have been added.

The Examiner rejected claims 1, 3, 5-16, 22-23, 25 and 28-30 under 35 U.S.C § 103(a) as being obvious over U.S. Patent No. 6,226,510 ("Boling") in view of U.S. Patent 5,625,668 ("Loomis") and further in view of U.S. Patent No. 6,295,346 ("Markowitz"). Applicants respectfully traverse such rejection and respectfully request reconsideration and withdrawal of the rejection. Applicants respectfully submit that the rejected claims are patentable over the art of record for at least the following reasons.

The combination of the three references cited by the Examiner fail to teach all the features of independent claim 1. Specifically, the combined references fail to show the claim feature:

providing to each of the plurality of contacts and to an emergency service, from the base station, a respective notification message that contains identification data corresponding to an identity of the subscriber and the street address associated with the location of the device.

In the rejection, the Examiner cites to col. 3, line 63 - col. 4, line 5 of Markowitz as teaching the above feature of claim 1. Applicants respectfully disagree that the cited passage from Markowitz teaches this feature. Rather, as stated in the passage of Markowitz cited by the Examiner, Markowitz teaches by "placing a single phone call to network 110, a calling party can establish a phone call to an emergency service provider and to also have other phone calls automatically placed by network 110 to notify parties..." (Markowitz, col. 4, lines 1-5). In other words, Markowitz teaches that the emergency service provider is actually connected to the calling party.

In contradistinction to Markowitz, claim 1 recites "providing...to an emergency service, from the base station, a respective notification message..." In this manner, claim 1

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recites that a notification message is sent to the emergency service provider rather than actually connecting the calling party and the emergency service provider.

Independent claim 22 recites a similar feature. Specifically, claim 22 recites “a signal transmitter at the base station that provides to each of the plurality of contacts and to an emergency service a respective notification message...” The combination of Boling, Loomis and Markowitz fails to teach all the limitations of the pending claims and therefore a *prima facie* case of obviousness has not been made. Independent claims 1 and 22 contain features not taught or suggested by the art of record, and therefore these claims, and dependent claims 3, 5-18, 23-26, 28-30 are patentable over the art of record.

CONCLUSION

For all the foregoing reasons, Applicants respectfully submit that the pending claims patentably distinguish over the teachings of the cited references. Accordingly, a Notice of Allowance for claims 1, 3, 5-18, 22-26 and 28-30 is respectfully requested. In the event, however, that the Examiner believes that the application is not allowable for any reason, the Examiner is encouraged to contact the undersigned attorney to discuss resolution of any remaining issues.

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Erich M. Falke
Registration No. 49,049

Woodcock Washburn LLP
One Liberty Place - 46th Floor
Philadelphia PA 19103
Telephone: (215) 568-3100
Facsimile: (215) 568-3439